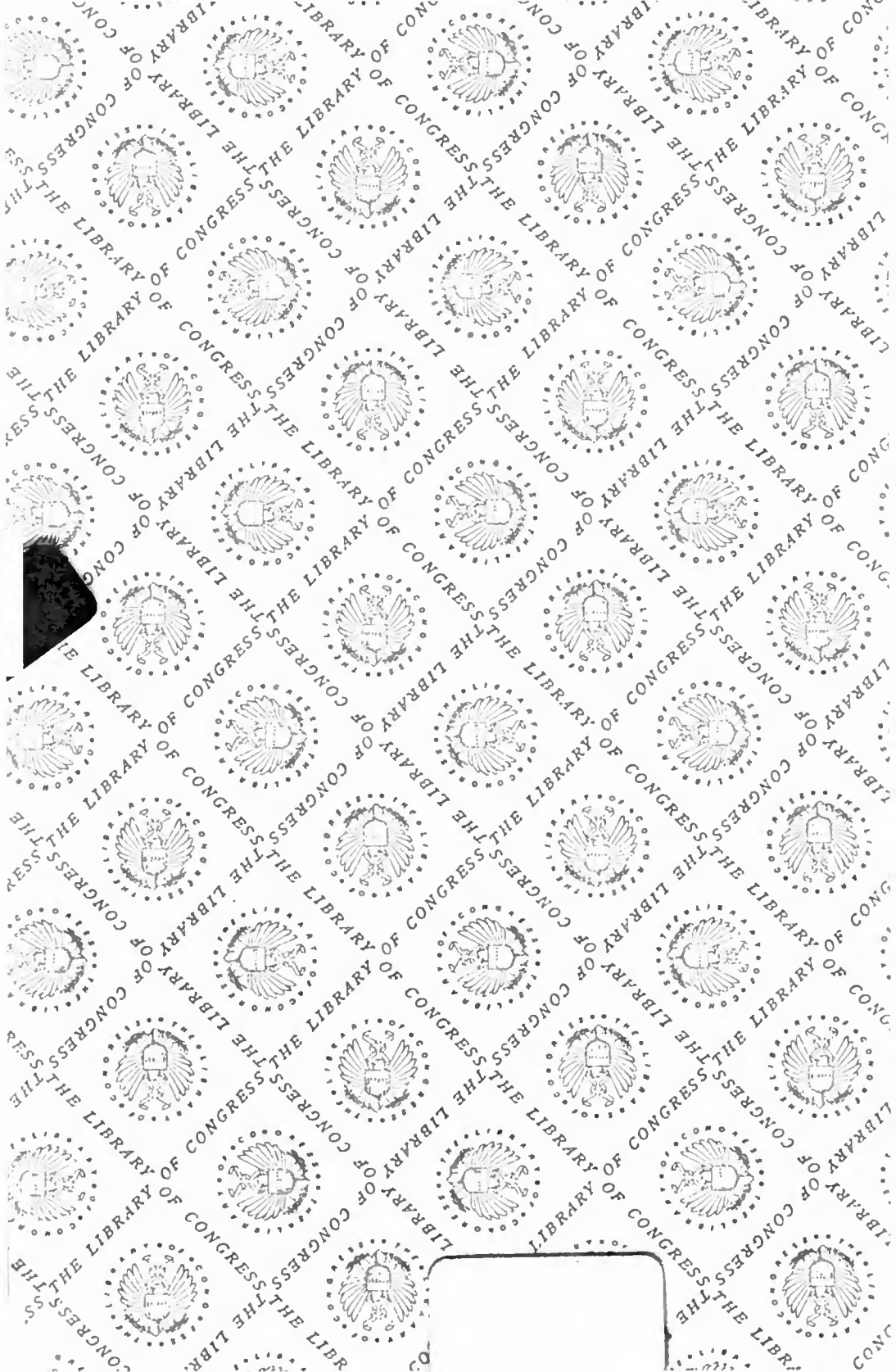
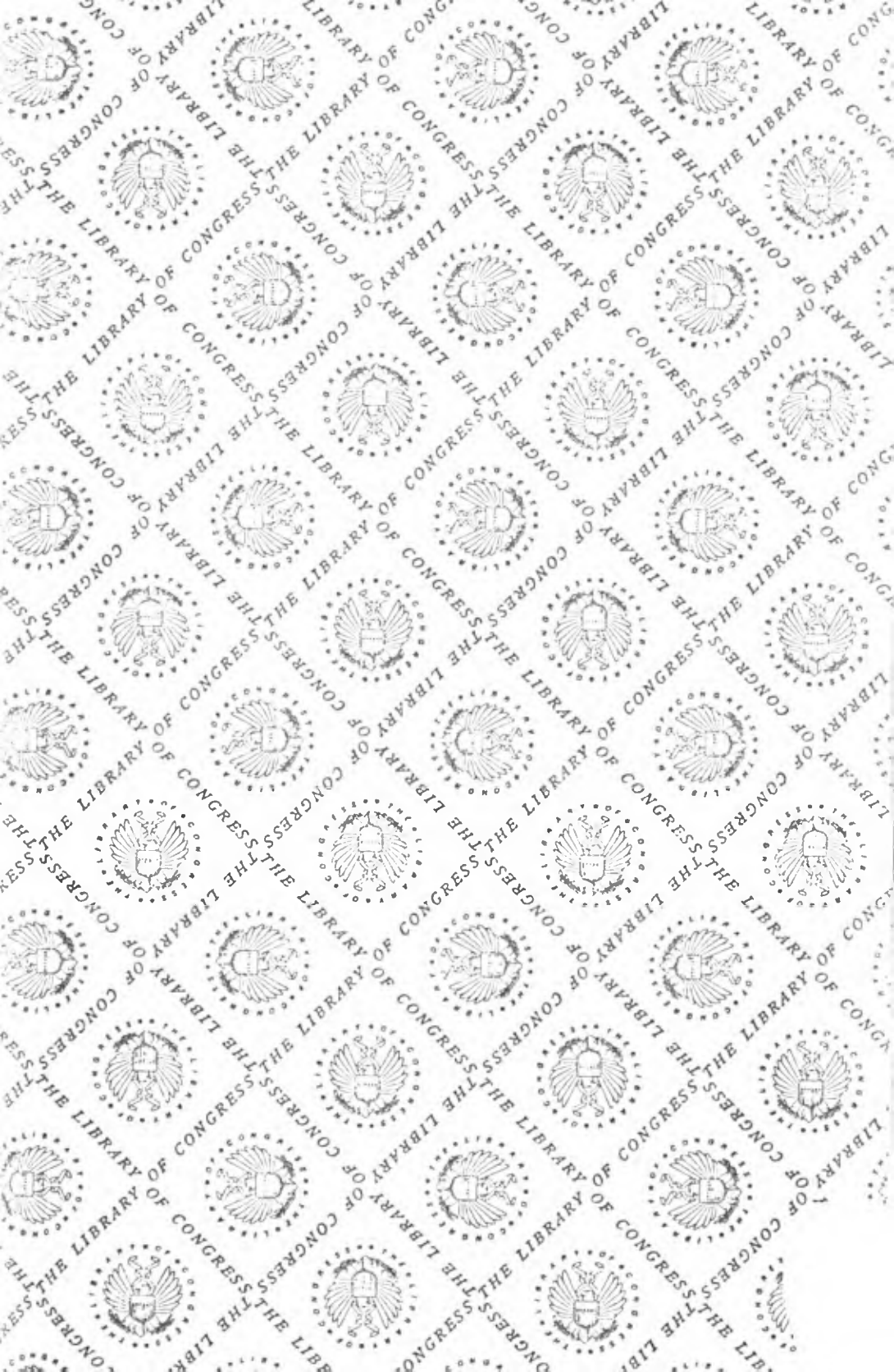


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**APPROPRIATIONS AUTHORIZATION FOR COMMISSION
ON MARIHUANA AND DRUG ABUSE**

HEARING

BEFORE THE

**SUBCOMMITTEE ON
PUBLIC HEALTH AND WELFARE,**

OF THE

**COMMITTEE ON
INTERSTATE AND FOREIGN COMMERCE
HOUSE OF REPRESENTATIVES**

NINETY-SECOND CONGRESS

FIRST SESSION

ON

H.R. 5853 and H.R. 5674

**BILLS TO AMEND THE COMPREHENSIVE DRUG ABUSE PRE-
VENTION AND CONTROL ACT OF 1970 TO PROVIDE FOR AN
INCREASE IN THE APPROPRIATIONS AUTHORIZATION FOR
THE COMMISSION ON MARIHUANA AND DRUG ABUSE**

MARCH 25, 1971

Serial No. 92-3

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APPROPRIATIONS AUTHORIZATION FOR COMMISSION ON MARIHUANA AND DRUG ABUSE

THURSDAY, MARCH 25, 1971

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C.

The subcommittee met at 10 a.m., pursuant to notice, in room 2123, Rayburn House Office Building, Hon. Paul G. Rogers (chairman) presiding.

Mr. ROGERS. The subcommittee will please be in order.

The hearings this morning are on H.R. 5853 and H.R. 5674, bills with an identical purpose, amending the Comprehensive Drug Abuse Prevention and Control Act of 1970, to authorize additional expenditures by the Commission on Marihuana and Drug Abuse.

During the consideration of this legislation by the committee last year, the Commission on Marihuana and Drug Abuse was proposed to be established for the purpose of studying and reporting on that subject, with total expenditures not exceeding \$1 million. The bill was subsequently amended to increase substantially the duties of that Commission, to provide that it should, in addition, conduct a comprehensive study and investigation of the causes of drug abuse and their relative significance. No change was made at the time in the total expenditure authorizations of the Commission, and the bill became law with expenditure authorizations limited to the amounts originally determined to be sufficient to conduct a study of marihuana.

The purpose of the bills before the committee today is to authorize sufficient expenditures to enable the Commission to carry out its responsibilities under the law.

At this point in the record there will be included the text of the bills and agency reports thereon.

(The texts of H.R. 5853 and H.R. 5674 follow:)

[H.R. 5853, 92d Cong., 1st Sess., introduced by Mr. Rogers on Mar. 10, 1971]

A BILL To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide for an increase in the appropriations authorization for the Commission on Marihuana and Drug Abuse

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (f) of section 601 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended to read as follows: "Total expenditures of the Commission shall not exceed \$4,000,000."

[H.R. 5674, 92d Cong., 1st Sess., introduced by Mr. Carter on Mar. 8, 1971]

A BILL To amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to provide an increase in the appropriations authorization for the Commission on Marihuana and Drug Abuse

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 601(f) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 be amended to read as follows:

"(f) Total expenditures of the Commission shall not exceed \$4,000,000."

Mr. ROGERS. Mr. Sonnenreich, we welcome you to the committee, and we would be pleased to receive your statement.

**STATEMENT OF MICHAEL R. SONNENREICH, EXECUTIVE DIRECTOR,
NATIONAL COMMISSION ON MARIHUANA AND DRUG ABUSE**

Mr. SONNENREICH. Thank you, Mr. Chairman.

Members of the subcommittee, it is a pleasure to appear before you today on behalf of the National Commission on Marihuana and Drug Abuse to discuss H.R. 5674, a bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970, to increase the appropriation authorization of the National Commission on Marihuana and Drug Abuse from \$1 to \$4 million.

I read the Commission's mandate as requiring a 1-year intensive study on marihuana with recommendations to both the President and the Congress on what has been discovered, uncovered, and concluded. Concomitantly, the Commission must undertake a 2-year study in the general area of drug abuse. This will require first, defining the area of examination, and then making specific recommendations and legislative proposals to the President and the Congress.

There have been a number of reports published recently, such as the report of the Secretary of Health, Education, and Welfare on Marihuana and Health, which have focused primarily on the medical and scientific aspects of drug use and abuse. However, the drug problem today involves as many social, moral, and philosophical issues as medical and scientific ones, all of which will require definition and evaluation by the Commission.

In undertaking these tasks, the Commission must maintain a role and so base its report that the findings and recommendations have credibility in a time where credibility is more of a cliché than a reality.

On February 5, 1971, the Commission held its first meeting here in Washington, D.C., to handle administrative matters, formulate a unified approach to the problem, and isolate and identify the objectives. It was the general consensus that within the present \$1 million appropriation authorization it would be difficult to carry out the various essential tasks necessary for fulfilling the Commission's responsibilities to the President, the Congress, and the public.

A higher level of funding would enable the Commission to hire a representative sampling from all of the social, medical, scientific, and legal professions, as well as the necessary clerical and administrative personnel. In addition to conducting the Commission's day-to-day activities, this staff will formulate and undertake special projects for the Commission; evaluate on-going and past research; compile and analyze data and statistics, including an evaluation of methodologies; develop and direct Commission consulting contracts; and prepare interim and final reports for submission by the Commission.

If the Commission is to operate on a \$1 million budget, the total permanent staff will have to be about 14, seven of which will be secretarial and administrative, leaving seven professional staff members to carry on the work of 13 commissioners.

Second, a higher level of funding will enable the Commission to retain the services of expert consultants to advise it in specific areas of the drug problem. Although some of these consultants will be available to the Commission on a cost-free basis, a great many more

will be drawn from the private sector, which will necessitate reimbursement for their services and expenses. Of particular importance is the establishment of a panel of youth consultants to supply the Commission with first-hand knowledge and recommendations on the drug problem as it relates to youth. It should be noted that these youth consultants will be expected to work full-time during the summer and handle substantive areas of Commission interest. Projected costs to cover these consultant fees and expenses are \$340,000 for a 2-year period.

Third, the work of the Commission on the marihuana study must be completed within 1 year and the general drug abuse study terminated a year later. Thus, the Commission will have to coordinate the 1-year and the 2-year projects simultaneously, since the drug abuse study is more sweeping and will require a full 2 years of intensive effort. To run these programs side by side will require a division of labor, both at the professional staff level and at the consultant level. Adequate staffing and resources are essential if the Commission is to avoid costly duplication and wasted effort.

Fourth, nationwide studies and surveys dealing with the various aspects of drug abuse would be feasible through the use of contracts with public and private organizations were the necessary funds available. Estimated costs for these services would exceed \$700,000. The types of studies which have been proposed so far include:

1. A compilation, catalogue, and evaluation of all materials written on the subject of marihuana;
2. A feasibility study and the development of an instrument to accurately determine the extent of marihuana and drug use in the United States;
3. A study on the effect of mass media advertising on drug usage in the United States; and
4. A study to compile arrest statistics on marihuana users on a national basis.

Some of these areas are presently being studied under grants made by the National Institute of Mental Health which could be utilized by the Commission. In no event do I feel that the Commission should contract for research projects which duplicate studies presently being undertaken under grants by the National Institute of Mental Health. I might point out that both the National Institute of Mental Health and the Bureau of Narcotics and Dangerous Drugs have been most cooperative in assisting the Commission, and I feel confident that we will continue to enjoy a good working relationship.

Fifth and last, increased funding will enable the Commission to hold public hearings in selected cities across the country and to meet with foreign officials intimately involved with the international drug problem. Such hearings and meetings will be designed to actively solicit the views and recommendations of the general public and the experts in this field as to the extent of the drug problem in a given geographic area, and give the Commission better insight into the problem.

Mr. Chairman, the Commission could function on a \$1 million budget, but on a very limited basis. The question is whether this Commission, which is the first of its kind on a national level, should operate from a narrow or broad base. Expanding the scope of the study will clearly lend greater strength and objectivity to the Commission's findings and recommendations.

We have just begun operations and have a \$1 million appropriation request now pending before Congress. This would enable us to conduct our operations through fiscal year 1972. We are therefore now gearing our staffing and operations to the \$1 million ceiling provided by law. It is not possible at this time to predict accurately the increased funds required, although it is now apparent that more funding will be necessary to carry out the full mandate of the Commission. Accordingly, the committee may wish to consider as an alternative to the language in H.R. 5674 authorizing such sums as may be required in lieu of a specified dollar figure.

I point out that this is an alternative and in no way indicates that we are in any way not supporting that particular bill.

On behalf of the Commission, I thank you for your consideration and I will be glad to answer any questions you may have.

Mr. ROGERS. Thank you very much, Mr. Sonnenreich.

This committee makes it a practice to put in a specific figure rather than leaving it open ended. I am sure the committee would probably want to do that in this instance.

Mr. Satterfield?

Mr. SATTERFIELD. Thank you, Mr. Chairman.

My only comment is now that we have established the Commission we ought to see that we do the best job possible. We appreciate your coming here this morning, Mr. Sonnenreich, and giving us the benefit of your views.

Mr. ROGERS. Thank you.

Dr. Carter?

Mr. CARTER. Thank you, Mr. Chairman.

I think you have made a good statement. I think there is a need for the increased authorization, and I support it.

Thank you.

Mr. ROGERS. Mr. Preyer?

Mr. PREYER. Thank you, Mr. Sonnenreich.

You have explained this very clearly and there are not many questions. I am glad to see the realistic approach you are taking to this in your emphasis on the "credibility" of the study and the steps you are taking to give it credibility such as having a representative staff, and having youth consultants and public hearings in different cities. The real problem of getting across to young people is to get them to believe what you come up with in a study because if it doesn't have credibility, it will just be another study that goes on the shelf. So I am very glad to see your realistic approach to it and congratulate you on trying to come up with a study that will be accepted and will mean something.

Thank you, Mr. Chairman.

Mr. ROGERS. Mr. Schmitz?

Mr. SCHMITZ. I am still reading the opening statement, Mr. Chairman.

Mr. ROGERS. I think it is important that we have an input from young people and a very strong one into the Commission, and I think the idea of setting up a panel of young people where we can be sure the Commission has this information is most important and I believe you have pointed out the necessity of proper funding and I think this committee shares that feeling because we do want the Commission to do an adequate job for the Nation.

We appreciate your presence here today, and I am sure the committee will act on this promptly.

Mr. SONNENREICH. Thank you very much.

Mr. ROGERS. Do you have any questions, Mr. Schmitz?

Mr. SCHMITZ. No, I didn't hear the testimony, I will read the testimony.

I do gather that the bills before us simply increase the authorization, the money authorized?

Mr. ROGERS. This is correct; from \$1 million to \$4 million.

Mr. SCHMITZ. Is this the solution to the American problem that if you throw more money at the problem, it will go away?

Mr. ROGERS. I don't think that is necessarily it. As has been pointed out, when the first Commission was established in the legislation, it was simply a commission on marihuana for \$1 million. Now, the Commission, in the final form of the legislation, they expanded that role to a 2-year study not only of marihuana for 1-year study but the cause of drug abuse, to try to get at it. I know of no problem that has greater significance in this society today than the drug problem and, for that reason, we are going to try to establish reasonable bounds within which we expect the Commission to operate in an effective way. We don't want to under-fund, so the Commission report means nothing. This is the basis for the legislation.

Mr. SCHMITZ. How was the figure of \$4 million arrived at?

Mr. ROGERS. From a proposed budget.

Mr. SCHMITZ. Thank you.

Mr. ROGERS. Mr. Nelsen, any questions?

Mr. NELSEN. I have no questions.

I do want to compliment you on your statement. Our committee that handled the drug abuse bill reviewed many of the problems and came to a realization that sometimes a penalty is too severe. For example a youngster may be involved in going on a marihuana kick and gets caught in this kind of a grind. Then there is the pusher who deserves every punishment possible. All this is now being reviewed in a very careful manner and I want to say to Mr. Sonnenreich, we are glad to have you here and we are well aware of your very extensive competent background. We will be hearing more from you and we want to work with you.

Thank you very much.

Mr. SONNENREICH. I might point out for the committee that as a result of this committee's particular efforts in the Federal bill as of yesterday, 12 States have so far passed the Uniform Controlled Substances Act, which is essentially modeled after the Federal bill that this committee worked so hard on. These 12 States do not include, of course, the Territory of Guam and the Virgin Islands, which makes it 14 in all.

Mr. NELSEN. Mr. Chairman, this prompts a question.

Do you find that some of the State laws are very broad and that uniformity is now becoming more prevailing? There is nothing in the act, however, that preempts States from going farther?

Mr. SONNENREICH. That is correct. As a matter of fact, on a survey as a result of the Uniform Act, we found that 23 States have reduced their penalties to some degree in conformity with the Federal act, above and beyond adopting the complete Uniform Act itself. So I think this was a clear example of where Federal legislation has pointed the way for State action.

Mr. NELSEN. Thank you.

Mr. SCHMITZ. One more question, Mr. Chairman.

On page 3 of the testimony, there is a statement: "Of particular importance is the establishment of a panel of youth consultants to supply the Commission with firsthand knowledge and recommendations on the drug problem as it relates to youth."

I am sorry I came in late, but could you elaborate on the purpose of that?

Mr. SONNENREICH. Yes. At the very first meeting that the Commission held on February 5, the Commissioners were pretty uniform in their desire to make certain that the youth had some impact on the Commission machinations and in the deliberations and considerations of the staff and the work of the Commissioners themselves.

Mr. SCHMITZ. How are they going to be selected?

Mr. SONNENREICH. We are now trying to get a random sampling across the country equalizing men and women, different ethnic backgrounds, et cetera. We are also looking for people that would be available to work full-time during the summer. Basically, we are talking about college students.

Mr. SCHMITZ. How are they going to be selected?

Mr. SONNENREICH. The selection will come from the professional staff with approval of the Commission.

Mr. SCHMITZ. From the professional staff with approval of the Commission?

Mr. SONNENREICH. That is correct.

Mr. SCHMITZ. I am anxious to see what they come up with. I will be keeping a close look at it. Three hundred forty thousand dollars is a lot of money for youth consultants.

Mr. SONNENREICH. \$340,000 is not just for youth consultants. These are for youth consultants and other consultant fees. We are anticipating having approximately 30 to 40 consultants who are experts in their field, people in the international law areas, doctors, and people that are conducting on-going research. The youth consultants are part of the total consultant package. They are not just the only consultants that the Commission will rely upon.

A professional staff is not going to be able to cover all of the areas of concern in the field of marihuana and drug abuse, and we are going to be relying on consultants, contracts with outside individuals, people who are working in universities and hospitals, and things of that nature.

Mr. SCHMITZ. And the Commission makes these contracts?

Mr. SONNENREICH. That is correct.

Mr. SCHMITZ. So one-third of the present budget is going to go to consultants in the future budget?

Mr. SONNENREICH. That is correct.

Mr. SCHMITZ. I am new on the committee. If I might ask another question, Mr. Chairman—how was this Commission selected?

Mr. SONNENREICH. Four members of the Commission were selected by the Congress. Two were selected by the Senate and two by the House. Nine were appointed by the President. The Commission is a mixed group, both from the legislative-executive point of view and from the political party point of view in the sense that there are two Democrats and two Republicans from the Congress and a near even split of five and four by Presidential appointment.

Mr. SCHMITZ. And you are the executive director of the Commission?

Mr. SONNENREICH. Right.

The chairman of the Commission is the former Governor of the State of Pennsylvania.

Mr. SCHMITZ. Basically, you will be selecting the youth panel?

Mr. SONNENREICH. That is right, and recommending it to the Commission.

Mr. SCHMITZ. I will have my eye on you.

Mr. SONNENREICH. Fine.

Mr. ROGERS. We will all have our eyes on you, Mr. Sonnenreich. We know you will do a good job.

Any other questions?

If not, thank you for being here.

Any other witnesses?

Thank you, Mr. Sonnenreich.

This concludes the hearing on this authorization.

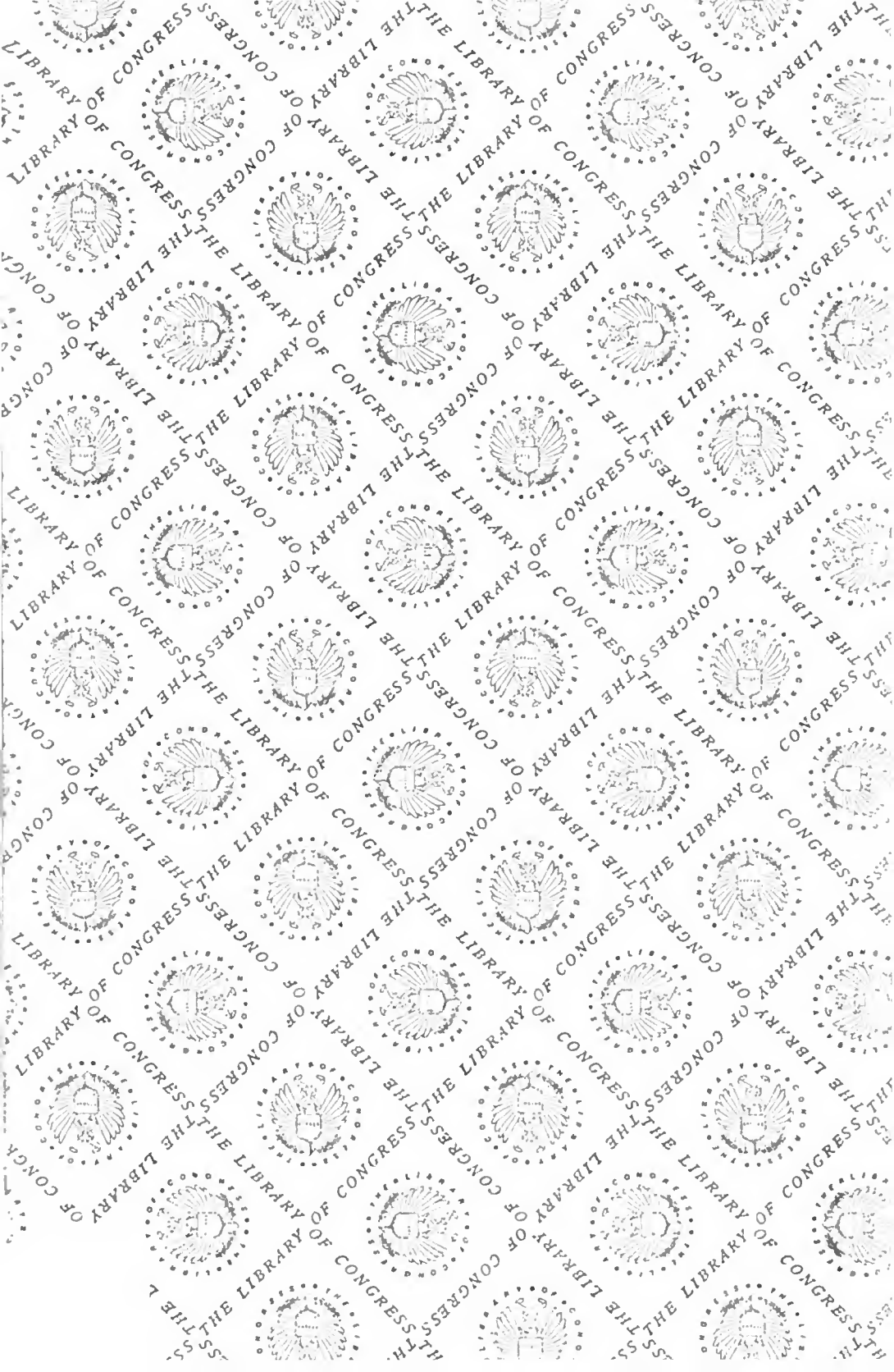
The committee will now go into executive session, and we will take a moment to allow everyone to withdraw from the room.

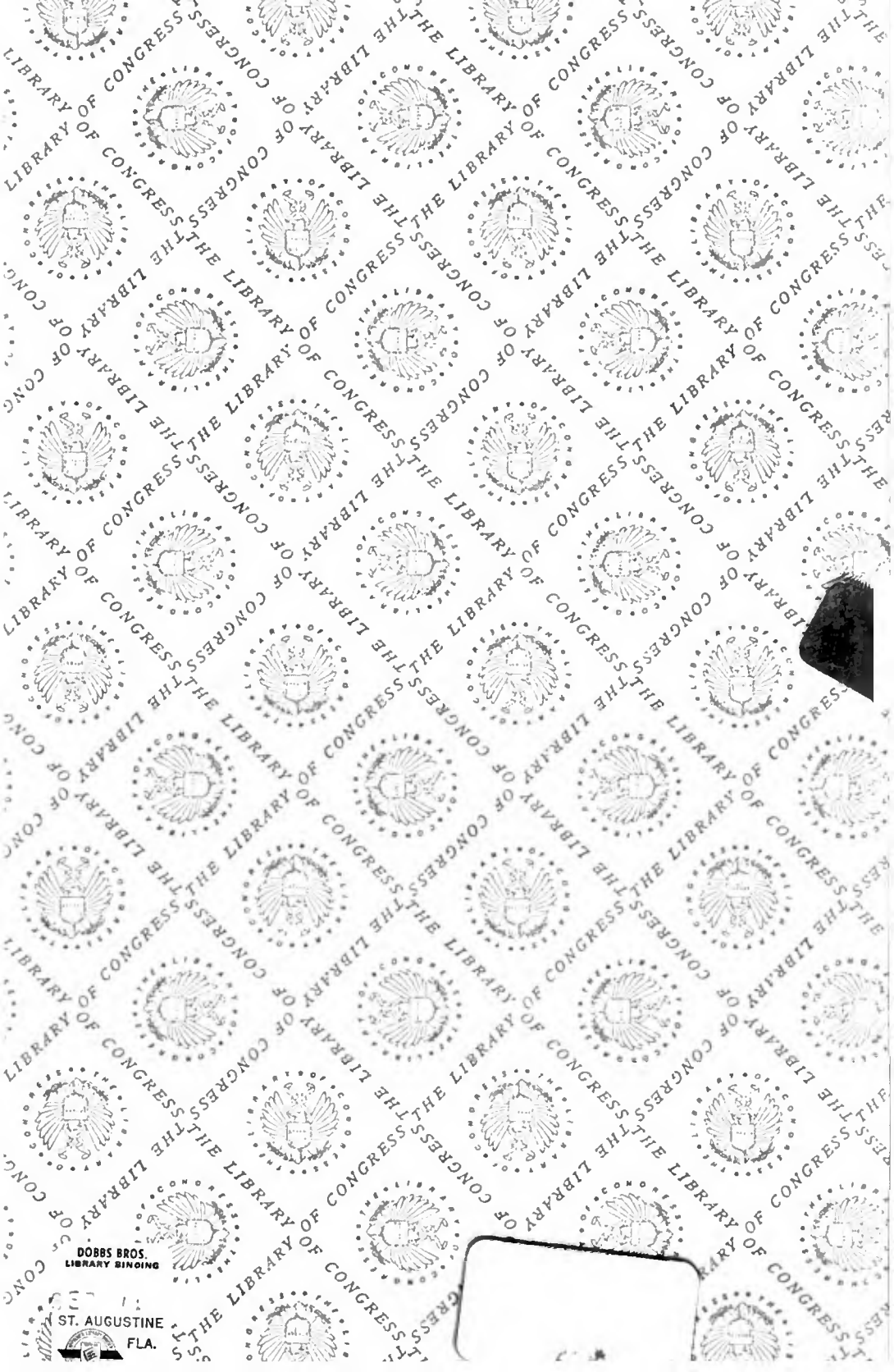
(Whereupon, at 10:30 a.m., the subcommittee adjourned.)



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